THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

W.P.NO.20341 OF 2007

O R D E R (Per the Hon'ble Smt. Justice T.Meena Kumari)

Heard both the counsel.

From the averments in the writ affidavit it could be seen that the petitioner who was working as Assistant Director of Fisheries which post is under the control of Deputy Director of Fisheries, was surrendered to the Government by the 1st respondent – District Collector, Karimnagar, Karimnagar, District through proceedings No.1013/D/05 dated 24.7.2007. The grievance of the petitioner is that as the 1st respondent – District Collector is neither the appointing authority nor the disciplinary authority to the post of Assistant Director of Fisheries, the orders passed surrendering his services to the Government is without jurisdiction. The petitioner filed O.A.No.5543/2007 and sought for interim suspension of the orders of the District Collector and the Tribunal by order dated 18.9.2007 directed that any filling up of the post of Assistant Director of Fisheries shall be subject to the further orders in the O.A.

Whether the District Collector has got the jurisdiction to surrender the services of the petitioner to the Government, has to be adjudicated finally in the O.A. and however in view of the facts and circumstances of the case, the impugned orders of the District Collector dated 24.7.2006 surrendering the services of the petitioner to the Government are suspended and the order of the Tribunal is accordingly modified and the Tribunal shall dispose of the O.A.No.5543/2007 within a period of three months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of at the stage of admission.

T.MEENA KUMARI,J

G.CHANDRAIAH,J

AVS
DATE:27.09.2007